

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

JIMMY L. ELLIS,

Plaintiff,

v.

Case No. 02-CV-428

RONALD MALONE and
JANE DOES,

Defendants.

ORDER

This case was originally filed on April 26, 2002. Judgment was entered against plaintiff on May 28, 2003. On November 16, 2009, over six years later, plaintiff filed a Motion for Leave to Amend (Docket #31) seeking amendment of the judgment. The timing for a motion to alter or amend a judgment is governed by Fed. R. Civ. P. 59(e), which allowed ten days from the date of judgment for the filing of such a motion under the pre-December 1, 2009 rule, and allows twenty-eight days from the date of judgment for the filing of such a motion under the present rule. Either way, plaintiff's motion was filed well beyond the applicable deadline, and must, therefore, be denied.

Accordingly,

IT IS ORDERED that plaintiff's Motion for Leave to Amend (Docket #31) be and the same is hereby **DENIED**.

Dated at Milwaukee, Wisconsin, this 7th day of December, 2009.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line.

J.P. Stadtmueller
U.S. District Judge